

§§ 415.44–415.50 [Reserved]

Subpart D—Payload Review and Determination**§ 415.51 General.**

The FAA reviews a payload proposed for launch to determine whether a license applicant or payload owner or operator has obtained all required licenses, authorization, and permits, unless the payload is exempt from review under § 415.53 of this subpart. If not otherwise exempt, the FAA reviews a payload proposed for launch to determine whether its launch would jeopardize public health and safety, safety of property, U.S. national security or foreign policy interests, or international obligations of the United States. A payload determination is part of the licensing record on which the FAA's licensing determination is based.

§ 415.53 Payloads not subject to review.

The FAA does not review payloads that are—

- (a) Subject to regulation by the Federal Communications Commission (FCC) or the Department of Commerce, National Oceanic and Atmospheric Administration (NOAA); or
- (b) Owned or operated by the U.S. Government.

§ 415.55 Classes of payloads.

The FAA may review and issue findings regarding a proposed class of payload, e.g., communications, remote sensing or navigation. However, each payload is subject to compliance monitoring by the FAA before launch to determine whether its launch would jeopardize public health and safety, safety of property, U.S. national security or foreign policy interests, or international obligations of the United States. The licensee is responsible for providing current information, in accordance with § 415.79(a), regarding a payload proposed for launch not later than 60 days before a scheduled launch.

§ 415.57 Payload review.

- (a) *Timing.* A payload review may be conducted as part of a license application review or may be requested by a

payload owner or operator in advance of or apart from a license application.

(b) *Interagency consultation.* The FAA consults with other agencies to determine whether launch of a proposed payload or payload class would present any issues affecting public health and safety, safety of property, U.S. national security or foreign policy interests, or international obligations of the United States.

(1) The FAA consults with the Department of Defense to determine whether launch of a proposed payload or payload class would present any issues affecting U.S. national security.

(2) The FAA consults with the Department of State to determine whether launch of a proposed payload or payload class would present any issues affecting U.S. foreign policy interests or international obligations.

(3) The FAA consults with other federal agencies, including the National Aeronautics and Space Administration, authorized to address issues identified under paragraph (b) of this section associated with an applicant's launch proposal.

(c) The FAA advises a person requesting a payload determination, in writing, of any issue raised during a payload review that would impede issuance of a license to launch that payload or payload class. The person requesting payload review may respond, in writing, or revise its application.

§ 415.59 Information requirements for payload review.

(a) A person requesting review of a particular payload or payload class shall identify the following:

- (1) Payload name;
- (2) Payload class;
- (3) Physical dimensions and weight of the payload;
- (4) Payload owner and operator, if different from the person requesting payload review;
- (5) Orbital parameters for parking, transfer and final orbits;
- (6) Hazardous materials, as defined in § 401.5 of this chapter, and radioactive materials, and the amounts of each;
- (7) Intended payload operations during the life of the payload; and